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August 17, 2005

TO: Mail Stop Non-Fee Amendment

FACSIMILE NO.: (571) 273-8300

FROM: Richard C. Conover

FACSIMILE NO.: (406) 587-4330

RE: Interim Response and Request for Further Information

Applicant: Ralph Simpson, et al

Serial No.: 10/628,081

Filed: 07/25/2003

For: SPORTS TRAINING AND EXERCISE DEVICE

Art Unit: 3764

Examiner: Jerome W. Donnelly

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant/s : Ralph Simpson
Pete Draovitch
Steve McGee

Serial No. : 10/628,081

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Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

INTERIM RESPONSE AND REQUEST FOR FURTHER INFORMATION

Dear Sir:

Our office received an Office Action mailed June 29, 2005 regarding the above-identified application. The Examiner rejected Claim 1 under 35 U.S.C. § 102(b) as being anticipated by Hinds. Claim 4 was rejected under 35 U.S.C. § 102(b) as being anticipated by Hopkins, Jr. Claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hinds in view of Donohue.

However, I could not determine from the enclosures attached to the Office Action as to the specific prior art references the Examiner had in mind when he discussed the Hinds, Hopkins, Jr. And the Donohue reference. In order to prepare a proper response I need to know the patent


numbers so that I can look at these references prior to preparing a response.

I called the Examiner on two occasions requesting the numbers of these patents but I have not yet had a response. If you could advise as to the patent numbers of the cited references, we will promptly prepare and file a response to the Office Action.

I do note that a response to this Office Action is due on or before September 29, 2005. Therefore, I would appreciate it if I could receive these patent numbers sufficiently prior to this date so that a proper response could be prepared.

DATED: 8/17/05
Bozeman, Montana

Respectfully submitted,



Richard C. Conover
Reg. No. 26,363
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Attorney for Applicant

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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